



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,037	01/04/2002	Shannon Jones	005306.P043	2355

7590 05/16/2006

R. Alan Burnett  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/039,037

Applicant(s)

JONES ET AL.

Examiner

Gerald Gauthier

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 7-15, 17-19 and 21-37 is/are rejected.  
7) ☒ Claim(s) 6, 16 and 20 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

1. **Claim(s) 6, 16 and 20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

Art Unit: 2614

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim(s) 1, 4, 8-10, 12, 14, 17-19, 21 and 25-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew et al. (US 6,950,745) in view of Bhargava et al. (2003/0123618 A1).

**Regarding claim(s) 1, 9, 12, 14, 18 and 21**, Agnew discloses on column 3 line 1-12, a mobile telephone (claimed "a speech processing server") includes a CPU (claimed "a processor") and a transceiver (claimed "a network interface"). Agnew et al teach on column 3 lines 22, a memory.

Agnew discloses on column 3 lines 53, speech recognition circuitry (claimed "a voice recognition unit") for converting user's query (claimed "ad hoc query"). The speech recognition must have a processor to perform the conversion of user's query. The call center (including the speech recognition circuitry) must have a telephony interface to receive the telephone user's query through a network interface. The speech recognition circuitry must have a memory for storing software modules to perform the conversion of user's query.

Agnew discloses on column 3 line 64, receiving a navigation request (claimed “ad hoc query”) from a telephone user (reads on claimed “establish a telephone connection”).

Agnew discloses on column 2 line 50-60, spoken natural language query.

Agnew discloses on column 3 lines 64 to column 4 line 7, calculate the appropriate route from the start location to the end location (reads on claimed “determining query criteria”).

Agnew discloses on column 3 line 66 to column 4 line 3, sending the user’s location to the route calculation unit (reads on claimed “sending the query criteria to the enterprise data system”).

Agnew discloses on column 6 lines 13-17, driving instructions are transmitted to the user (reads on claimed “receiving data from the enterprise data system based on the query criteria” and “providing feedback data to the user”) in speech format (claimed “verbal format”).

Agnew fails to disclose the user requesting an ad hoc query be performed against data stored by the enterprise data system using a spoken natural language query.

However, Bhargava teaches the user requesting an ad hoc query to perform against data stored by the enterprise data system using a spoken natural language query (FIG. 1 and paragraphs 0033, 0034 and 0035).

Art Unit: 2614

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Agnew using the teaching of automatic speech recognition as taught by Bhargava.

This modification of the invention enables the system to receive request an ad hoc query to perform against data stored by the enterprise data system so that the user would retrieve multiple information from the database in a single session.

Regarding **claim 4**, Agnew discloses on Fig. 4, the call center (including the “voice recognition unit”) must have a module (claimed “client-side module”) for accessing the other components shown in Fig. 4.

Regarding **claims 7 and 17**, Agnew discloses on column 2 line 50-60, column 6 line 18-28, interactions between users and the voice access system.

Regarding **claim 8**, Agnew discloses on column 6 line 17, text to speech converter.

Regarding **claims 10 and 19**, Agnew discloses on items 49, 51 Fig. 4, “road network database” (claimed “object manager”) and “traffic database” (claimed “data manager”).

Regarding **claim(s) 25, 28, 31 and 35**, Bhargava teaches a voice access system, wherein the voice recognition unit comprises a telephony interface for receiving the user input via the telephone connection (paragraph 0033).

Regarding **claim(s) 26, 29, 32 and 36**, Bhargava teaches a voice access system, wherein the voice recognition unit comprises a network interface to couple the voice recognition unit to the enterprise data system via the computer network (FIG. 1).

Regarding **claim(s) 27, 30, 33 and 37**, Bhargava teaches a voice access system, wherein the speech-processing server comprises a network interface to couple the speech processing server to the voice recognition unit via the computer network (FIG. 1).

Regarding **claim(s) 34**, Bhargava teaches a voice access system, further comprising a compilation server, coupled to the enterprise data system and the local database, to pre-compile the data into a form corresponding to the set of grammars (paragraph 0037).

6. **Claim(s) 2, 11, 13 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew in view of Bhargava as applied to **claim(s) 1, 12 and 21** above, and further in view of Segal et al (US 6,836,651).

Regarding **claim(s) 2, 11, 13 and 22** Agnew discloses on column 3 lines 57-59, user preferences database defines each user's preference. Therefore, each user must be verified.

Agnew in combination with Bhargava fails to disclose "authenticating the user using a login process".

However, Segal teaches on Fig. 2 and Fig. 3, authenticating the telephone user.

It would have been obvious to one skilled at the time the invention was made to modify Agnew in combination with Bhargava to have the "authenticating the user using a login process" as taught by Segal et al such that the modified system of Agnew et al would be able to support the system users conveniences of verifying a user.

7. **Claim(s) 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew in view of Bhargava and in view of Segal as applied to **claim(s) 2** above, and further in view of Segal et al (US 6,836,651).

Regarding **claim(s) 3**, the modified system of Agnew in combination with Bhargava and Segal as stated in claim 2 above failed to teach "a local database in which a plurality of unique identifiers and pass-codes are stored".

However, Heck teaches on column 4 line 37-39, a database includes voiceprints for authentication.

Art Unit: 2614

It would have been obvious to one skilled at the time the invention was made to modify Agnew in combination with Bhargava and Segal to have the “a local database in which a plurality of unique identifiers and pass-codes are stored” as taught by Heck such that the modified system of Agnew in combination with Bhargava and Segal would be able to support the system users conveniences of using a database maintaining the identifiers for authentications.

8. **Claim(s) 5 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew in view of Bhargava as applied to **claim(s) 1 and 12** above, and further in view of Cannell et al (US 6,850,604).

Regarding **claim(s) 5 and 15**, Agnew fails to disclose “converts voice waveform data into text data”.

However, Cannell teaches on column 6 line 32-34, speech recognition resources converts the speech to data.

It would have been obvious to one skilled at the time the invention was made to modify Agnew in view of Bhargava to have the “converts voice waveform data into text data” as taught by Cannell et al such that the modified system of Agnew in view of Bhargava would be able to support the system users conveniences of converting speech into text.

Art Unit: 2614

9. **Claim(s) 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Agnew in view of Bhargava as applied to **claim(s) 21** above, and further in view of MeLampy et al (US 5,566,236).

Regarding **claim(s) 23 and 24**, Agnew fails to disclose "reconnecting the user after the call is completed".

However, MeLampy teaches on column 2 line 31 to column 3 line 62, reconnecting a disconnected telephone communication.

It would have been obvious to one skilled at the time the invention was made to modify Agnew et al to have the "reconnecting the user after the call is completed" as taught by MeLampy such that the modified system of Agnew in view of Bhargava would be able to support the system users conveniences of reestablishing the communication.

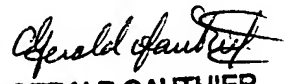
### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**GERALD GAUTHIER**  
**PATENT EXAMINER**

Gerald Gauthier  
Examiner  
Art Unit 2614

GG  
May 11, 2006